

REMARKS

As a preliminary matter, the Examiner has requested a new Title of the Invention. Accordingly, Applicants have replaced the existing Title with a new Title according to Applicants' best understanding of the Examiner's remarks. Reconsideration and withdrawal of the objection thereto are therefore respectfully requested.

As a second preliminary matter, the Examiner asserts that the Specification contains typographical or grammatical errors, and that its "writing style is kind of strange." Although Applicants acknowledge the presence of some minor grammatical errors in the Specification, Applicants submit that there is nothing strange about the writing style of the Specification for this particular field of art. One skilled in this field of art should easily understand the teachings of this Specification. In the interests of expediting prosecution, however, Applicants have attempted to improve grammatical informalities wherever possible.

Claims 1-12 stand rejected under 35 U.S.C. 112, second paragraph, as being indefinite. Specifically, the Examiner asserts that the phrase "an identifier written in the communication connection request," which appears in the preamble to several claims, is "confused," "difficult to understand," and "sounds strange." Applicants respectfully traverse this rejection because the Examiner has not applied the correct standard to the examination of the claims.

In attempting to establish a rejection under Section 112, second paragraph, the standard that the Examiner must apply is whether the claims can be understood by one skilled in the art, when read in light of the Specification. Applicants submit that the cited phrase from

the preamble to the claims of the present invention is easily understood by those skilled in the art when read in light of the Specification. For example, page 15 of the present Specification describes how the identifier can be a session ID in one embodiment. Other embodiments though, describe how the identifier can also be an IP address, or other identifiers known in the art. Applicants respectfully submit that the Examiner must identify which portions of the Specification the Examiner finds inconsistent with this clear claim language, or withdraw the rejection.

With respect to the Examiner's remaining comments in the Section 112 rejection relating to commas and informalities, Applicants submit that such trivial typographical and/or grammatical errors should not be included in a Section 112 rejection, but instead should only warrant claim objections at most. Nevertheless, in the interests of expediting prosecution, Applicants have amended the claims to correct for grammatical and/or typographical errors as much as possible and according to the Examiner's suggestions.

Claims 1-12 stand rejected under 35 U.S.C. 102(a) as being anticipated by Colyer (U.S. 6,023,722). Independent claims 2, 6, and 10 have been cancelled without prejudice, rendering the rejection to these claims now moot. With respect to the remaining claims, Applicants respectfully traverse as follows.

With respect to independent claims 1, 5, and 9, Applicants traverse the rejection because Colyer fails to disclose (or suggest) the determination from an identifier written in a communication connection request whether or not a communication connection is established. The Examiner cites only line 26 from col. 6 of Colyer as support for his analogy to this feature

of the present invention. The cited portion from Colyer, however, only describes “requests (messages) having URL’s specifying [a] server 3b.” Even if this text portion could be interpreted broadly enough to consider the specifying URL’s to be “identifiers,” nothing in this portion teaches anything about *determining whether or not a communication connection is established* according to the URL’s. As such, the *prima facie* case of anticipation is deficient on its face.

In contrast, claims 1, 5, and 9 of the present invention do not merely recite identifiers in communication requests, as implied by the Examiner. Instead, the present invention features that identifiers written in communication connection requests are used to determine whether or not a communication connection is established. These claims have been amended herein merely for clarification of the subject matter originally filed. It is not enough for the Examiner merely to cite to an identifier within the single prior art reference. The Examiner was also required to cite to where in the prior art is taught the entire determination process of the present invention. Because the Examiner has made no such citation, the Section 102 rejection of these claims is deficient on its face. Applicants submit though, that Colyer does not teach (or suggest) any of these determination features in the present invention.

With respect to claims 3, 7, and 11 (amended herein to be rewritten in independent form), Applicants traverse the rejection because Colyer does not teach (or suggest) the notification to a client side of an identifier identifying an established connection. The cited text from Colyer (col. 6, lines 45-53) only describes an identifier that is “assigned to *each HTTP request* as it is received by messaging and queuing unit 31.” In other words, the

identifier, here asserted by the Examiner to be analogous to the present invention, does not identify the established connection at all, but instead only each individual request that may be communicated over such a connection. Accordingly, the cited identifier from Colyer is not the same as that in claims 3, 7, and 11 of the present invention, and therefore the Section 102 rejection with respect to these claims is respectfully traversed, and should be withdrawn.

Additionally, claims 3, 7, and 11 further recite that the identifier of the established connection is to have the same identifier be written into connection requests of communications to follow the initial communication. As described above, Colyer only teaches in the cited portion to have an identifier limited to only identifying each individual request, and does not teach to have the same identifier written into the connection requests that follow the initial communication. In fact, Colyer here specifically teaches away from such features. Colyer specifically describes how each HTTP request is assigned its own unique correlation identifier. (col. 6, lines 45-46). Because each request has its own unique identifier, the same identifier could not be written into following requests, by definition. For at least these additional reasons therefore, the outstanding Section 102 rejection should again be withdrawn.

With respect to dependent claims 4, 8, and 12, these claims depend from independent claims 3, 7, and 11 respectively, and therefore Applicants respectfully traverse the rejection of these claims for at least the reasons discussed above in traversing the rejection of the respective base claims.

Applicants submit that the amendments submitted here merely grammatically clarify the already existing features of the claims, and therefore do not narrow the scope of any

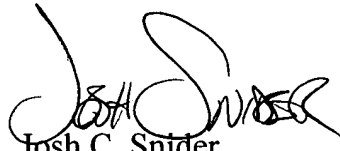
of the claims in any way. As described above, the claims were already understandable to one skilled in the art, and these clarifications are made only at the Examiner's request, in order to expedite prosecution.

For all of the foregoing reasons, Applicants submit that this Application, including claims 1, 3-5, 7-9, and 11-12, is in condition for allowance, which is respectfully requested. The Examiner is invited to contact the undersigned attorney if an interview would expedite prosecution.

Respectfully submitted,

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April 26, 2005

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